



SULLIVAN COUNTY LEGISLATURE
Planning, Environmental Management and Real Property Committee
Thursday, June 13, 2013 ~ 11:30 AM

*Committee Members: Alan Sorensen (Chair); Cindy Kurpil Gieger (Vice Chair);
Kathy LaBuda; Cora Edwards; and Ira Steingart*

AGENDA

DISCUSSION:

- 1. New York State Consolidated Funding Application**
- 2. Economic Development Plan Steering Committee**

PRESENTATIONS: None

RESOLUTIONS:

COUNTY ATTORNEY - None

COUNTY TREASURER

- 1. To Convey Property in the Town of Liberty known as LI 15.-1-16.8, Acquired by the County of Sullivan by Virtue of the In Rem Tax Foreclosure Proceeding for the 2010 Lien Year.**

PLANNING

- 2. To authorize a Public Hearing and Publication of a Legal Notice for the eight-year review of an Agricultural District pursuant to Article 25-AA of the Agriculture and Markets Law.**

REAL PROPERTY - None

DEPARTMENT/PROGRAM UPDATES AND REPORTS:

County Attorney: - None
County Treasurer: - Update on Current Issues
Real Property: - Monthly Deed and Subdivision Report

DIVISION DISCUSSION ITEMS:

PUBLIC COMMENTS:

**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Sullivan County Legislature

Fr: Planning, Environmental Management and Real Property

Re: Request for Consideration of a Resolution: To convey property known as LI15.-1-16.8

Date: June 13, 2013

Purpose of Resolution: [Provide a detailed statement of what the Resolution will accomplish, as well as a justification for approval by the Sullivan County Legislature.]

To authorize the Chairman of the Legislature to execute the necessary documents in order to convey the premises known as LI15.-1-16.8 to Benito Rodriguez.

Is subject of Resolution mandated? Explain:

Does Resolution require expenditure of funds? Yes ___ No

If "Yes, provide the following information:

Amount to be authorized by Resolution: \$ _____

Are funds already budgeted? Yes ___ No ___

If "Yes" specify appropriation code(s): _____

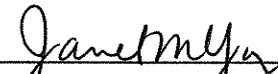
If "No", specify proposed source of funds: _____

Estimated Cost Breakdown by Source:

County \$ _____ **Grant(s)** \$ _____

State \$ _____ **Other** \$ _____

Federal Government \$ _____ **(Specify)** _____

Verified by Budget Office: 

Does Resolution request Authority to Enter into a Contract? Yes ___ No

If "Yes", provide information requested on Pages 2. If "NO", please go straight to Page 3 and acquire all pre-legislative approvals.

Request for Authority to Enter into Contract with _____ of _____

Nature of Other Party to Contract: _____ Other: _____

Duration of Contract: From _____ To _____

Is this a renewal of a prior Contract? Yes ___ No ___

If "Yes" provide the following information:

Dates of prior contract(s): From _____ To _____

Amount authorized by prior contract(s): _____

Resolutions authorizing prior contracts (Resolution #s): _____

Future Renewal Options if any:

Is Subject of Contract – i.e. – the goods and/or services Mandated? Yes ___ No ___

If "Yes" cite the mandate's source; describe how this contract satisfies the requirements:

If "No" provide other justification for County to enter into this Contract: [County does not have resources in-house, best source of the subject materials, required by grant, etc.]:

Total Contract Cost for [year or contract period]: (If specific sum is not known state maximum potential cost): _____

Efforts made to find Less Costly alternative:

Efforts made to share costs with another agency or governmental entity:

Specify Compliance with Procurement Procedures (Bid, Request for Proposal, Quote, etc.)

procurement is not applicable Af

Person(s) responsible for monitoring contract (Title): _____

Pre-Legislative Approvals:

- A. Director of Purchasing: *Terry Jones* Date 6/7/13
- B. Management and Budget: *J. G. [Signature]* Date 6/7/13
- C. Law Department: Law Dept. Date _____
- D. County Manager: *John [Signature]* Date 6/7/13
- E. Other as Required: _____ Date _____

Vetted in _____ Committee on _____

**RESOLUTION INTRODUCED BY PLANNING, ENVIRONMENTAL
MANAGEMENT AND REAL PROPERTY COMMITTEE**

**RESOLUTION TO CONVEY PROPERTY IN THE TOWN OF LIBERTY
KNOWN AS LI15.-1-16.8, ACQUIRED BY THE COUNTY OF SULLIVAN BY
VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR THE
2010 LIEN YEAR.**

WHEREAS, property located in the Town of Liberty designated on the Sullivan County Real Property Tax Map as LI15.-1-16.8, Class 311, being 0.57 +/- acres, located on Conte Ln, is owned by the County of Sullivan and formerly owned by Richard H Dunkelberger, was included in the foreclosure of 2010 liens, but was not sold (received no bids) at the June, 2012 Public Auction, and

WHEREAS, Benito Rodriguez has offered to purchase said property for the sum of, THREE THOUSAND (\$3,000.00) DOLLARS, more than the amount of the delinquent taxes owed to the County, and

WHEREAS, this matter was discussed by the Real Property Advisory Board who advised it is in the best interest of the County of Sullivan to convey the parcel to Benito Rodriguez for THREE THOUSAND (\$3,000.00) DOLLARS, and

WHEREAS, the purchaser will also be responsible for the recording fees plus 10% of sale price for auctioneer's commission, and any other applicable charges, including but not limited to, omitted & pro rata taxes, 2013 Town/County taxes, water and sewer charges, if any, and

NOW, THEREFORE, BE IT RESOLVED, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to convey the aforesaid premises to Benito Rodriguez, upon payment of \$3,000.00 to the County Treasurer, plus 10% of sale price for auctioneer's commission, plus fees for the County Clerk, plus the 2013 County/Town taxes.

Moved by _____,
Seconded by _____,
and adopted on motion _____, 2013.

**COMBINED: LEGISLATIVE MEMORANDUM,
CERTIFICATE OF AVAILABILITY OF FUNDS
AND RESOLUTION COVER MEMO**

To: Sullivan County Legislature

Fr: Jill M. Weyer, Acting Planning Commissioner

Re: Request for Consideration of a Resolution: Agricultural District Public Hearing

Date: 6/5/13

Purpose of Resolution: [Provide a detailed statement of what the Resolution will accomplish, as well as a justification for approval by the Sullivan County Legislature.]

Pursuant to Section 303-a of NYSDAM Law, Sullivan County reviews the Agricultural Districts every eight years. Prior to the inclusion or removal of parcels, a public hearing is required. Set public hearing for Thursday, July 18, 2013 at 4:20 pm in the Legislative Hearing Room for Agricultural District #1 inclusion and removal of parcels.

Is subject of Resolution mandated? Explain:

Yes, a public hearing is required under Section 303-a(3) of Article 25-AA of NYSDAM Law.

Does Resolution require expenditure of funds? Yes ___ No

If "Yes, provide the following information:

Amount to be authorized by Resolution: \$ _____

Are funds already budgeted? Yes ___ No ___

If "Yes" specify appropriation code(s): _____

If "No", specify proposed source of funds: _____

Estimated Cost Breakdown by Source:

County	\$ _____	Grant(s)	\$ _____
State	\$ _____	Other	\$ _____
Federal Government	\$ _____	(Specify)	_____

Verified by Budget Office: 

Does Resolution request Authority to Enter into a Contract? Yes ___ No

If "Yes", provide information requested on Pages 2 and 3.

Request for Authority to Enter into Contract with [_____] of
[_____]

Nature of Other Party to Contract: _____ Other: Government

Duration of Contract: From _____ To _____

Is this a renewal of a prior Contract? Yes ___ No ___

If "Yes" provide the following information:

Dates of prior contract(s): From _____ To _____

Amount authorized by prior contract(s): _____

Resolutions authorizing prior contracts (Resolution #s): _____

Future Renewal Options if any:

Is Subject of Contract – i.e. – the goods and/or services Mandated? Yes ___ No

If "Yes" cite the mandate's source; describe how this contract satisfies the requirements:

If "No" provide other justification for County to enter into this Contract: [County does not have resources in-house, best source of the subject materials, required by grant, etc.]:

Total Contract Cost for [year or contract period]: (If specific sum is not known state maximum potential cost): _____

Efforts made to find Less Costly alternative:

Efforts made to share costs with another agency or governmental entity:

Specify Compliance with Procurement Procedures (Bid, Request for Proposal, Quote, etc.)

procurement is not applicable IKJ

Person(s) responsible for monitoring contract (Title): _____

Pre-Legislative Approvals:

A. Director of Purchasing: Nancy Jones Date 6/6/13

B. Management and Budget: Janet Myers Date 6/7/13

C. Law Department: S. Y. Asgour Date _____

D. County Manager: John Poter Date 6/7/13

E. Other as Required: _____ Date _____

Vetted in PEMRP Committee on 06/13/2013

RESOLUTION NO. -13 INTRODUCED BY THE PLANNING, ENVIRONMENTAL MANAGEMENT AND REAL PROPERTY COMMITTEE AUTHORIZING A PUBLIC HEARING AND PUBLICATION OF A LEGAL NOTICE FOR THE EIGHT-YEAR REVIEW OF AN AGRICULTURAL DISTRICT PURSUANT TO ARTICLE 25-AA OF THE AGRICULTURE AND MARKETS LAW

WHEREAS, Article 25-AA, Section 303-a of the Agriculture and Markets Law requires County Review of an Agricultural District every eight, twelve or twenty years after its creation and sets forth the procedures which must be followed in such review, and

WHEREAS, Sullivan County Agricultural District No. 1 includes lands in the Towns of Bethel, Callicoon, Cochection, Delaware, Fremont, Liberty, Thompson and Tusten, and

WHEREAS; the Sullivan County Legislature reviewed and modified Agricultural District No. 1 in 2005, and

WHEREAS, pursuant to Agriculture Markets Law Section 303-a(1) and the policy of the Sullivan County Legislature, Agricultural District No. 1 must be reviewed this year, and

WHEREAS; upon review of Agricultural District No 1, and based on the survey of landowners, and upon the review and recommendations of the Sullivan County Agricultural and Farmland Protection Board and the Division of Planning and Environmental Management it is necessary to modify the boundaries of Agricultural District No. 1, such modifications being described in Schedule A, attached hereto.

NOW THEREFORE, BE IT RESOLVED, that a public hearing be held by the Sullivan County Legislature on Thursday, July 18th, 2013 at 4:20 pm in the Legislative Hearing Room for the purpose of reviewing Agricultural District No. 1, and

BE IT FURTHER RESOLVED, that the Clerk to the Sullivan County Legislature is hereby authorized to publish a notice of public hearing and give individual notice of this hearing in writing to those municipalities whose territories encompass Agricultural District No. 1 and any modifications to the District; to persons, as listed on the most recent assessment roll, whose land is the subject of a proposed modification; and to the Commissioner of Agriculture and Markets.

SCHEDULE A

Parcels to be Included in Agricultural District No. 1:

Town of Callicoon	4.-1-37.1
Town of Delaware	6.-1-33
Town of Fremont	37.-1-22
Town of Liberty	16.-1-29.1
Town of Liberty	25.-1-10.2
Town of Liberty	35.A-1-11.1
Town of Liberty	35.A-1-11.2
Town of Liberty	35.A-1-24

Parcels to be Removed from Agricultural District No. 1:

Town of Bethel	1.-1-12.5
Town of Bethel	1.-1-47.6
Town of Bethel	5.-2-1
Town of Bethel	15.-1-10.8
Town of Bethel	15.-1-10.9
Town of Bethel	18.-1-1.1
Town of Callicoon	28.-1-93
Town of Cochection	1.-1-2.2
Town of Cochection	1.-1-39.5
Town of Cochection	2.-1-55
Town of Cochection	2.-1-86.3
Town of Cochection	2.-1-86.4
Town of Cochection	9.-3-12.1
Town of Cochection	13.-2-8.2
Town of Cochection	18.-1-31
Town of Delaware	17.-1-17
Town of Delaware	17.-1-49
Town of Delaware	23.-1-14.2
Town of Delaware	28.-1-52
Town of Delaware	28.-1-74
Town of Fremont	19.-1-9
Town of Fremont	19.-1-10
Town of Fremont	19.-1-30
Town of Liberty	31.-1-8
Town of Liberty	38.-1-34.21
Town of Liberty	38.-1-34.22
Town of Tusten	1.-2-14

As portrayed on the Sullivan County Tax Maps on June 5, 2013.

**NOTICE OF PUBLIC HEARING ON AN AGRICULTURAL DISTRICT
PURSUANT TO THE EIGHT YEAR REVIEW**

Notice is hereby given that a public hearing will be held by the Sullivan County Legislature at 4:20 pm on Thursday, July 18th, 2013 in the Legislative Hearing Room at the Sullivan County Government Center, Monticello, New York on Agricultural District No. 1 to consider the recommendations of the Agricultural and Farmland Protection Board and the Commissioner of Planning and Environmental Management.

Descriptions and maps of the District and recommendations of the Agricultural and Farmland Protection Board and the Commissioner of Planning and Environmental Management may be examined in the offices of the Sullivan County Division of Planning and Environmental Management, Sullivan County Clerk, Cornell Cooperative Extension and at the Jeffersonville Public Library.

Agricultural District No. 1 includes land within the Towns of Bethel, Callicoon, Cochecton, Delaware, Fremont, Liberty, Thompson and Tusten. The Agricultural and Farmland Protection Board and the County Commissioner of Planning and Environmental Management have reviewed Agricultural District No. 1 and have recommended that the Sullivan County Legislature adopt and incorporate the recommended modifications of Agricultural District No. 1 as follows:

Parcels to be included in Agricultural District No. 1, as portrayed on the Sullivan County Tax Maps on June 5, 2013:

Town of Callicoon	4.-1-37.1
Town of Delaware	6.-1-33
Town of Fremont	37.-1-22
Town of Liberty	16.-1-29.1
Town of Liberty	25.-1-10.2
Town of Liberty	35.A-1-11.1
Town of Liberty	35.A-1-11.2
Town of Liberty	35.A-1-24

Parcels to be removed from Agricultural District No. 1, as portrayed on the Sullivan County Tax Maps on June 5, 2013:

Town of Bethel	1.-1-12.5
Town of Bethel	1.-1-47.6
Town of Bethel	5.-2-1
Town of Bethel	15.-1-10.8
Town of Bethel	15.-1-10.9
Town of Bethel	18.-1-1.1
Town of Callicoon	28.-1-93
Town of Cochecton	1.-1-2.2

Town of Cochection	1.-1-39.5
Town of Cochection	2.-1-55
Town of Cochection	2.-1-86.3
Town of Cochection	2.-1-86.4
Town of Cochection	9.-3-12.1
Town of Cochection	13.-2-8.2
Town of Cochection	18.-1-31
Town of Delaware	17.-1-17
Town of Delaware	17.-1-49
Town of Delaware	23.-1-14.2
Town of Delaware	28.-1-52
Town of Delaware	28.-1-74
Town of Fremont	19.-1-9
Town of Fremont	19.-1-10
Town of Fremont	19.-1-30
Town of Liberty	31.-1-8
Town of Liberty	38.-1-34.21
Town of Liberty	38.-1-34.22
Town of Tusten	1.-2-14

All parties in interest and citizens will be heard by the Sullivan County Legislature at the public hearing.